

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOHN F. JACKSON,)	
)	CASE NO. 3:11CV1228
Petitioner,)	
)	
v.)	JUDGE BENITA Y. PEARSON
)	
WARDEN, TOLEDO CORRECTIONAL)	<u>MEMORANDUM OF OPINION</u>
INSTITUTION,)	<u>AND ORDER RE: DISMISSING</u>
)	<u>PETITIONER'S APPLICATION FOR</u>
Respondent.)	<u>WRIT OF HABEAS CORPUS</u>

Petitioner *pro se* John F. Jackson filed a Petition for a Writ of Habeas Corpus pursuant to [28 U.S.C. § 2254](#), alleging four grounds for relief which challenge the constitutional sufficiency of his conviction and sentence for two counts of aggravated robbery, in violation of [Ohio Rev. Code § 2911.01\(A\)\(1\)](#), and one firearm specification, in violation of [Ohio Rev. Code § 2941.145](#). Petitioner was sentenced to seven years of imprisonment on each aggravated robbery count, to be served consecutively, and a mandatory three years of imprisonment for the firearm specification, for a total of 17 years.

According to the Ohio Department of Rehabilitation and Correction website,¹ Petitioner is now confined at Marion Correctional Institution. The Warden of that institution, Jason Bunting, is ordered substituted for the original Respondent, Warden, Toledo Correctional Institution.

¹ <http://www.drc.state.oh.us/>

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On June 27, 2011, the case was referred to Magistrate Judge Vernelis K. Armstrong for preparation of a report and recommendation pursuant to [28 U.S.C. § 636](#) and [Local Rule 72.2\(b\)\(2\)](#).

On May 9, 2012, Magistrate Judge Armstrong submitted a Report and Recommendation ([ECF No. 14](#)) recommending that the petition be denied and that Petitioner's Motion for "Stay" on Decision of Habeas Corpus Petition Allowing Petitioner to Exhaust State Remedies ([ECF No. 10](#)) also be denied.

[Fed. R. Civ. P. 72\(b\)\(2\)](#) provides that objections to a report and recommendation must be filed within 14 days after service. Neither party has filed any such objections, evidencing their satisfaction with the Magistrate Judge's recommendations. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. [Thomas v. Arn](#), 728 F.2d 813 (6th Cir. 1984), *aff'd*, 474 U.S. 140 (1985); [Howard v. Secretary of Health and Human Services](#), 932 F.2d 505 (6th Cir. 1991); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the Report and Recommendation of the Magistrate Judge is hereby adopted. Petitioner's Motion to Stay ([ECF No. 10](#)) is denied. John F. Jackson's Petition for a Writ of Habeas Corpus will be dismissed.

The Court certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. [28 U.S.C. § 2253\(c\)](#); [Fed. R. App. P. 22\(b\)](#).

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The Clerk is directed to issue a copy of this Memorandum of Opinion and Order by regular mail to John F. Jackson, A557-273, Marion Correctional Institution, P. O. Box 57, Marion, Ohio 43302.

IT IS SO ORDERED.

June 13, 2012
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge